

SUMMARY STATEMENT

Davis v. Hammack Management Inc., Docket. No. 43863

This is a total and permanent disability case where Gary Davis (“Claimant”), Hammack Management, Inc. (“Employer”), the Idaho State Insurance Fund (“Surety”), and the Idaho Industrial Special Indemnity Fund (“ISIF”) entered into a compensation agreement (“Stipulation”). The parties agreed that Claimant became totally and permanently disabled based on the combined effects of his preexisting impairments and a workplace injury that occurred in 2004. The Stipulation outlined each party’s financial obligations to Claimant, including a credit to Employer for permanent partial impairment benefits previously paid. The Idaho Industrial Commission (“Commission”) approved the Stipulation. Subsequently, this Court issued its decision in *Corgatelli v. Steel West, Inc.*, 157 Idaho 287, 335 P.3d 1150 (2014), prohibiting such a credit. Claimant then sought a declaratory ruling that the credit in the Stipulation was void. The Commission issued an order stating that the Stipulation was binding as written and subsequently denied Claimant’s motion for reconsideration. Claimant appealed to the Supreme Court. The Court reversed the Commission’s order upholding the Stipulation and its PPI credit.